

BROKEN ARROW CITY COUNCIL MEETING MINUTES
JUNE 16, 2003

1. The Broken Arrow City Council met in regular session in the City Hall Council Chambers on Monday, June 16, 2003, at 7:30 P.M. Mayor Richard Carter called the meeting to order.

2. Invocation was given by Thomas Harrison, President, Broken Arrow Ministerial Alliance.

Present: Mayor Richard Carter
Vice-Mayor Craig Thurmond
Councilman Wade McCaleb
Councilman Tom Chatterton
Councilwoman Melissa Mahan

Staff Present: Michael D. Kadlecik, City Manager
Lois Beisiegel, Deputy City Clerk
Gary Blackford, Special Business Administrator
Tom Caldwell, Finance Director
Justin Cook, Director of Engineering
Farhad Daroga, City Planner
Scott Esmond, Parks & Recreation Director
Jay Heinrichs, Controller
Joe Higgins, Inspector
David McCann, Purchasing Manager
Ron Osborn, Fire Chief
Rick Ross, Assistant Police Chief
Dave Wooden, Public Works Director
Michael Vanderburg, City Attorney

4. Mayor Carter led the Council and audience in the pledge of allegiance.

5. The Council considered approval of the regular meeting minutes of June 2, 2003.

Motion by Chatterton, second by McCaleb to approve the minutes of June 2, 2003.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter
Nay: None
Motion carried.

6A. The Council considered the Public Hearing to abate general public nuisances. City Manager Michael Kadlecik noted there is a revised list.

WEEDS

105 E Helena St
1112 W Glendale St
1214 N 27th St

515 W Elgin St
1212 W Inglewood St
20910 E 41st St

2200 W New Orleans
4309 S Birch Ave

TRASH

2200 W New Orleans St

Motion by McCaleb, second by Chatterton to declare the lots a public nuisance and authorize the lots to be abated at costs to the property owners of \$225.00 per hour and if the costs are not paid, to authorize the City Clerk to certify the costs as a lien against the property.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

8A. The Council considered PUD 137, Creekridge Park, 12.46 acres, (BAZ 1411/1412) one-quarter mile north of Houston Street, east of Aspen Avenue. City Planner Farhad Daroga introduced the item. The Applicant was present and stated he is in agreement with recommendations. There were no protestants. Councilman McCaleb stated Council is reviewing the sign ordinance at this time and inquired as to what affect a new sign ordinance might have on this development. Mr. Daroga stated the commercial uses along Aspen Avenue will not change and noted this PUD enlarges the residential side. Jerry Ledford, Tulsa Engineering and Planning, stated a new sign ordinance will not affect the retail side as they will still be under the PUD limitations regarding signage. City Attorney Michael Vanderburg stated if a new sign ordinance is passed and the PUD restrictions are silent on the issue that is in debate, the new ordinance would control. He stated it is only when the PUD speaks to the point and changes it that you are under the more restrictive PUD requirement.

Motion by Chatterton, second by Mahan to approve PUD 137 as recommended by the Planning Commission and Staff.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

8B. The Council considered PUD 138, BAZ 1599, Expressway Plaza, 13.7 acres, C-2, R-2 to C-4 and C-5, southeast corner of Elm Place and Tucson Street. City Planner Farhad Daroga introduced the item. The Applicant was present. Mayor Carter inquired if the fence issue has been resolved. Mr. Daroga stated the Planning Commission suggested the applicants meet with the homeowners to see what they wanted and some want a 6-foot fence others want an 8-foot fence, which is what the code requires, and some want it even taller. He stated an 8 or 10-foot fence will not completely screen the usage on the northeast side because those single family residential lots are much higher than the balance of the land. Mr. Daroga stated the applicant is willing to comply with the type of fence the neighbors want. Jerry Ledford, Tulsa Engineering and Planning, stated when this was before the Planning Commission there were three items discussed. He stated Tract E was previously C-2 and there was quite a bit of opposition at the Planning Commission meeting so to be good neighbors they will take this tract to be O-3. He also stated the fence will be decided when it gets closer to construction and noted in some areas

it may be 6-foot and 8-foot in others. He stated they will build what the homeowners request. He also stated they originally requested 200-feet on the Elm Place access points and he wanted to clarify they will be acceptable as per City Code at 125 or 150 feet. Mr. Daroga stated he will check into that as they are trying to line them up with the shopping center that is under design on the west side. Larry Shank, 6600 S. Date Ave., stated he is in agreement with conditions and his only concern is the fence. He stated even if they put a 12-foot fence there he might get some privacy from his knees down so he would like to get a fence as high as possible in there. Marty Curzon, 414 W. Union Pl., requested that the mini storage have limited hours so people won't be entering and exiting the facility at 2:00 AM and disturbing the residences that back up to the facility. Mr. Vanderburg stated the Council can't regulate the hours. Vice-Mayor Thurmond stated most mini-storages around town close at 11:00 PM and open at 6:00 AM, which is pretty much standard in the industry for security reasons, although it is pretty much up to the user.

Motion by McCaleb, second by Chatterton to approve PUD 138 and BAZ 1599 as recommended by the Planning Commission and Staff.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

8C. The Council considered BAZ 1597, 5.7 acres, AR to R-1, one-half mile south of New Orleans Street on the east side of 23rd Street. City Planner Farhad Daroga introduced the item. The applicant was present. There were no protestants. Jon Brightmire, attorney for the applicant, requested Council approve Staff recommendation regarding the zoning issue and zone it to R-1 and requested the platting be waived. He stated that when the Court ruled that the cell tower be allowed on the property subject to the zoning and platting requirements, in his opinion that did not mean it had to be platted or that it took away the Council's authority to waive platting. He noted the Council has the authority to waive platting. He stated Council's authority to waive platting is in the platting ordinance itself. Vice-Mayor Thurmond inquired why Mr. Brightmire believes platting should be waived. Mr. Brightmire stated the intensity of the use, there won't be a need for public utilities such as sewage, there won't be traffic and those types of items which would make platting appropriate. In response to Vice-Mayor Thurmond, Mr. Brightmire stated his client does not have a problem with platting as an objection but rather that it is expensive and they know the Council has the ability to waive that requirement.

Motion by Thurmond, second by Mahan to approve BAZ 1597 as recommended by Staff.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

8D. The Council considered BAZ 1600, Citizens Security Bank, 6.38 acres, R-1 to C-3, southwest corner of Kenosha Street and Olive Avenue. City Planner Farhad Daroga presented the item. The applicant was present and in agreement with conditions. There were no protestants.

Motion by Chatterton, second by Mahan to approve BAZ 1600 as recommended by the Planning Commission and Staff.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

8E. The Council considered BAZ 1601, Fairfield (Auto) Farms, 1.95 acres, R-1 to C-4, southwest Expressway Drive, one-half mile west of Elm Place. City Planner Farhad Daroga presented the item. The applicant was not present. There were no protestants.

Motion by Chatterton, second by McCaleb to approve BAZ 1601 as recommended by Planning Commission and Staff.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

7. Under Citizen's Opportunity to Address the Council no one was present.

9A. The Council considered approval of and authorization for the Mayor to execute a Printing Services Agreement between the City of Broken Arrow and the City of Tulsa. City Manager Michael Kadlecik introduced the item.

Motion by Thurmond, second by Chatterton to approve the proposed Printing Services Agreement with the City of Tulsa and authorize the Mayor to execute the agreement upon approval by the City of Tulsa.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

9B. The Council considered approval of and authorization for the Mayor to execute the Professional Services Agreement – Special Events/Marketing (Tourism Agreement) for Fiscal Year 2003-2004 between the City and the Broken Arrow Chamber of Commerce. City manager Michael Kadlecik introduced the item. Ted Allison, President, Broken Arrow Chamber of Commerce, was present and thanked the Council for their ongoing support. He stated the Chamber has a full time Tourism Director employed as a result of this contract and stated this individual stays quite busy in activities that are designed to attract visitors to Broken Arrow.

Motion by Chatterton, second by McCaleb to authorize the Mayor to sign the Professional Services Agreement – Special Events/Marketing for 2003/2004.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

9C. The Council considered approval of and authorization for the Mayor to execute the Fiscal Year 2003-2004 Contract for Economic Development Services with the Broken Arrow Chamber of Commerce. City manager Michael Kadlecik introduced the item. Ted Allison, President, Broken Arrow Chamber of Commerce, thanked City staff for their efforts which made Rooster Days a great event again this year. He stated the economy is slower and with businesses laying off people, while this is a tragedy to those being displaced, it puts tremendous pressure on the local economy in general. Mr. Allison stated the Tulsa/Broken Arrow economy is the business end of the State and we are suffering because business is off. He noted we are missing several thousand head-of-household type positions. He stated the stage is set for a rapid recovery and noted they are hearing reports from local manufacturers stating they believe the worst is behind us. Mr. Allison stated over the last fiscal year they had 251 responses to requests for demographics data, traffic counts and site or facilities information. He stated 83 of those are prospects which required specific research. He stated there were 8 prospect visits from out of town and some of those resulted in ongoing dialog and should yield fruit at a later date. Mr. Allison stated there are 278 new businesses in Broken Arrow over the last fiscal year, however when you consider we lost just about that many with the economic slump, we have not seen much in the way of net gain. He stated we are doing better than most other communities and should feel fortunate that we are able to keep new businesses coming in to replace those that either go out of business or move on. Mr. Allison stated the Buy Broken Arrow Campaign was a great success despite Wal-Mart not participating. He stated they had an increase in participating merchants and distributed over 3 million tickets. Mr. Allison stated the coming year will place a lot of focus along the Broken Arrow Expressway for big box retail recruitment. He stated the City should be commended for engaging with the Buxton Company and noted as soon as they have the information on hand they will be using it to recruit. He stated the Buxton Company brings a new basis of data in addition to helping the City target big box retailers that would be specific beneficiaries of our local economy and Buxton's reputation in the field will help us get in the door as well. Mr. Allison stated we must have a balance of focusing on industrial recruitment in addition to the retail. He noted industrial recruitment is very cyclical and is becoming more and more based on incentives. He stated at this time the City is not postured to offer incentives however, as long as we continue to nurture the relationship with many of the Tulsa based commercial/industrial brokers they will bring us some deals as long as we are showing a business friendly attitude and rolling out the welcome mat. He stated the City is doing that in great fashion now. Mr. Allison stated the Chamber Strategic Planning Retreat is coming up October 23-24, 2003 and encouraged everyone to attend.

Motion by Thurmond, second by McCaleb to authorize the Mayor to execute the 2003-2004 Contract for Economic Development Services with the Broken Arrow Chamber of Commerce, in the amount of \$120,000.00.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

9D. The Council considered bids received and awarding of the most advantageous bid for the purchase of an alternative fuel automobile and authorization for the Mayor to execute the accompanying Budget Amendment No. 3. City Manager Michael Kadlecik presented the item.

Motion by Thurmond, second by Mahan to accept the bid submitted by Riverside Autoplex in the amount of \$19,339.00 for one alternative fuel vehicle to be used as a City Hall pool vehicle and approve Budget Amendment No. 3.

Aye: Mahan, Chatterton, Thurmond, Carter
Nay: None
Abstain: McCaleb
Motion carried.

9E. The Council considered approval of and authorization for the Mayor to execute a Construction Agreement between the Broken Arrow Girl's Softball League and the City of Broken Arrow for the construction of a multi-purpose building to be located at the softball facility entrance at Arrowhead Park. City Manager Michael Kadlecik presented the item.

Motion by Thurmond, second by Chatterton to approve the construction agreement, for a multi-purpose building at the softball facility at Arrowhead Park, between the City of Broken Arrow and the Broken Arrow Girl's Softball League and authorize the Mayor to sign the agreement.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter
Nay: None
Motion carried.

9F. The Council considered possible action on changing the meeting time of City Council sessions. Councilman Wade McCaleb introduced the item. City Attorney Michael Vanderburg stated if the Council approves a change in meeting time an ordinance will be necessary.

Motion by McCaleb, second by Thurmond to approve a change in the meeting time of the City Council sessions to 7:00 PM.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter
Nay: None
Motion carried.

10A. The Council considered possible adoption of the Annual Budget for Fiscal Year 2003-2004 and authorization for the Mayor to execute Resolution No. 358 in connection therewith. City Manager Michael Kadlecik introduced the item. In response to Councilman McCaleb, Mr. Kadlecik stated there are no pay increases, other than step increases, included in the budget. He further stated that if the economy improves that item will be looked at again in six months.

Motion by Thurmond, second by McCaleb to approve the Fiscal Year 2003-2004 Budget as adjusted for the changes proposed and authorized the Mayor to execute Resolution No. 358.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None
Motion carried.

Mr. Kadlecik announced he has appointed Melanie Bolduc as the new City Clerk and she will begin June 30, 2003. He stated she comes from the City of Sand Springs where she is Public Works Supervisor and comes highly recommended.

11. The Council considered the Ordinances for Preview. City Attorney Michael Vanderburg presented the Ordinances for Preview.

- A. An Ordinance annexing a certain contiguous tract of land in Allison Estates Addition, Wagoner County, Oklahoma, to the city limits of the City of Broken Arrow, Oklahoma, granting a zoning classification, adopting a service plan, and declaring an emergency. This land is generally known as 23814 East Biddle.
- B. An ordinance amending the Broken Arrow Code by amending Sections 2-4, 2-40, 6-121, and 24-604; and by creating 10-27; and further by amending the Broken Arrow Land Subdivision Code section 11.2; all by adding or increasing various fees for Broken Arrow Programs and Regulations, repealing all ordinances to the contrary; and declaring an emergency.
- C. An ordinance annexing a certain contiguous tract of land in Allison Estates Addition, Wagoner County, Oklahoma, to the city limits of the City of Broken Arrow, Oklahoma, granting a zoning classification, adopting a service plan, and declaring an emergency. This land is generally known as 23908 East Biddle.
- D. An ordinance amending the Broken Arrow Code Chapter 6, Section 6-52 (a) by repealing the requirement that a formal certificate be furnished to the utility company, repealing all ordinances to the contrary and declaring an emergency.

In response to Vice-Mayor Thurmond, Mr. Vanderburg stated builders and others will be notified of the fee increases by handouts, and will also be available as any other public document is available. In response to Councilwoman Mahan, Mr. Vanderburg stated staff has not discussed additional ways to distribute this, however if there were a need for this the report could be put on the website and there has been some talk about a kiosk arrangement, possibly at Wal-Mart, and there are a number of avenues ahead of us. Vice-Mayor Thurmond stated he would like to see these notices distributed at least 30 days before they take affect so those affected could make comment on the fee changes. Councilwoman Mahan stated she is very concerned that we didn't give people adequate notice of the fee increases. She requested that something be worked out to provide at least 30 days notice. Mr. Vanderburg stated that could be done either as a matter of practice or by amending this ordinance. Mayor Carter stated he agrees with the other Council members that a 30 day notice be given before new fees go into effect.

Motion by McCaleb, second by Mahan to adopt these ordinances, with the modifications discussed, at the July 7, 2003 meeting.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter
Nay: None
Motion carried.

12. The Council considered the Ordinances for adoption. City Attorney Michael Vanderburg presented the Ordinances for adoption.

- A. Ordinance No. 2538 An ordinance amending the Broken Arrow Code Section 2-169(f), removing the eligibility requirement for retirement for non public safety employees, repealing all ordinances to the contrary, and setting an effective date
- B. Ordinance No. 2539 An ordinance amending the Broken Arrow Code by amending Sections 24-608 and 24-609 within the City of Broken Arrow, Oklahoma, changing the water rates and special contract rates for water, repealing all ordinances to the contrary; and declaring an emergency
- C. Ordinance No. 2540 An ordinance amending the Broken Arrow Code, Sections 24-701, 24-704 and 24-707 inclusive, by increasing the charges by an additional five cents (\$.05) made for cost per thousand gallons of sewer service received from the City of Broken Arrow, Oklahoma; leaving other charges unchanged; providing for an effective date; repealing all ordinances to the contrary; and declaring an emergency
- D. Ordinance No. 2541 An ordinance closing a utility easement dedicated to the public, located in Section 12, Township 18 North, Range 14 East that is a part of Lot One (1), Block One (1), Arrow Village Shopping Center, an addition to the City of Broken Arrow, Tulsa County, Oklahoma, according to the recorded plat thereof, providing for reservation of rights within the closed easement, and declaring an emergency
- E. Ordinance No. 2542 An ordinance changing the name of South 73rd Street in The Highlands at Forest Ridge, a subdivision of the City of Broken Arrow, Wagoner County, to South Highlands Boulevard; repealing all ordinances to the contrary and declaring an emergency
- F. Ordinance No. 2543 An ordinance amending the Broken Arrow Code by amending Sections 6-4(h), 6-17 subsection 112.3.1, 6-46(a)(b)(c) and (d), 6-51, 6-96, 6-102, 6-129 subsection 106.5.2, 6-130(c), 6-143(b), 6-169(a), 7-1(g), 7-2(5), 7-49(n), 7-91, 7-101, 7-119(a) and (b), 7-211(A)(1), 7-223, 7-226, 7-227(b)(8), 8-22(c), 10-51(c), 12-3 and 15-25(a) and (b), by adding or increasing various fees for Broken Arrow Programs and Regulations, repealing all ordinances to the contrary; and declaring an emergency
- G. Ordinance No. 2544 An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 1560), approving BAZ 1412, granting an O-3 zoning classification be placed upon the tracts under PUD 125,

repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

- H. Ordinance No. 2545 An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 1560), approving BAZ 1560 and BAZ 1572, granting an I-1 zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- I. Ordinance No. 2546 An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 1560), approving BAZ 1594, granting an I-1 zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- J. Ordinance No. 2547 An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 1560), approving BAZ 1574, granting a C-4 zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

Mayor Carter stated he was not able to locate some of these ordinances in last meetings minutes. City Manager Michael Kadlecik stated in zoning cases when the plat is filed we actually bring it through. Vice-Mayor Thurmond stated Item F increases the building fees and noted that in a report from 2001 based on a 2500 square foot house, Broken Arrow's fee was \$1,825 for the permit and Tulsa's was \$1,516. He stated the difference is Broken Arrow has a \$1,000 system development fee. Vice-Mayor Thurmond stated he would like to look at that \$1,000 system development fee and try to re-appropriate it. He noted Tulsa includes the fee on their sewer bills instead of as an up front fee. He would like to have a study done on that to have a more up to date way of collecting the fee. City Manager Michael Kadlecik stated when the restaurant seat tax was reviewed they actually looked at these other fees and they simply ran out of time when they had to deal with the budget and other issues. He stated staff would like to look at these items also and noted if the fee were collected in the sewer bill it will give the City a long term revenue stream. In response to Mayor Carter, Vice-Mayor Thurmond stated he believes the rate Tulsa charges per homeowner per month is around \$3. Director of Engineering Justin Cook stated the rate with Tulsa is \$2.13 per thousand on sewage and Broken Arrow's rate with Tulsa is \$2.10. Public Works Director Dave Wooden stated Tulsa pulls out between 25 and 40 cents out of the monthly charge to go toward their capital fee. He stated somewhat along those lines is what Broken Arrow would use in their capital area. Councilman McCaleb inquired if we would take out the \$1,000 system development fee and pass it on to all homeowners. Mr. Kadlecik stated that is one of the things that needs to be worked out because there are issues of equity and amortization of the \$1,000 and that is why it was looked at it the last time what appeared to be a very simple approach became very complex. He stated the ultimate thing would be to place this on the sewer charge. Vice-Mayor Thurmond stated some homes were built before the fee went into effect, some paid the fee and others were annexed in and never paid the fee. He stated that is why it will have to be studied to make it fair and equitable to everyone. Mayor Carter inquired if Vice-Mayor Thurmond is asking that Item F not be voted on tonight. Vice-Mayor Thurmond stated he was asking that we look into the

system development fee and bring it into line with the surrounding cities. Mr. Kadlecik pointed out that Ordinance No. 2543 includes a number of other fees and not just the system development fee. Doug Shrout, Robson Companies, stated a new Broken Arrow Builders Council was set up recently and meets with Chief Building Inspector Allen Stanton to discuss any issues that arise and that is when they were notified of the fee changes. He stated the Homebuilder's Association, Builders Council and Developers Council have worked well with the City in the past. He further stated he believes it is critical that they get an opportunity to address their concerns prior to changes taking effect. He also stated there is a perception that building fees are higher in Broken Arrow because of the system development fee. Mr. Shrout stated those present at the Builders Council meeting understood the need for the City to increase fees however they would like notice so they can give their input. He stated the builders as a group are a little concerned about the fees going into the general fund instead of staying in the Inspection Department. Mr. Kadlecik stated they did some checking and in the current budget the fees do not cover the cost of the Inspection Department. He further stated that with these new fees they will cover the cost of the Inspection Department plus a little surplus so there is some cushion for the future growth. Joshua Fowler, Homebuilder's Association of Greater Tulsa, stated the notification of fee increases is important and they would like to have a minimum of 30 days notice but would prefer a 60 day notice so they have time to discuss their concerns with the City. Mayor Carter stated he believes the issue of fee increases got into the picture late due to the budgeting process. Mr. Kadlecik stated the City had done all of the cutting, adjusting and transfers that could be done to balance the budget and in the early part of May realized there was still shortfall and the only thing which could be done was to go into the fee structures. He stated it is very complicated because fees are scattered throughout the City Code so it took some time to dig them out and evaluate them. He stated they tried hold the fees down. Mr. Kadlecik stated over the years he has resisted increasing fees whenever possible and in retrospect he should have been gradually increasing them and noted he didn't because he was sensitive to the cost of housing and other items. He stated only about 50% of the fees in the ordinance are dealing with the building inspection fees and the others are coming in to support the general fund and other operations of the City. He stated it is unfortunate that they ran late and had it in the budget at the last minute as the last effort to balance the budget. Mayor Carter stated the City had to have the budget balanced and completed on a certain time frame set by State law and noted we would have liked to have notified the builders 45-60 days ago about fee increase proposals but we didn't have them at that time.

In reference to Ordinance C, Vice-Mayor Thurmond stated he was aware the ladder truck was only staffed with 2 personnel up to this point and that it was his assumption the Fire Department felt they didn't need to add the third man. Councilman Chatterton and Councilwoman Mahan also stated they were aware the City only had two men staffing the ladder truck. Mr. Kadlecik stated when the City initially staffed the ladder truck he had in his mind that staff would increase to three in January 2003 so when he saw the Fire Chief's request he thought it was to add a fourth person to the ladder truck staff for the call back issue and that is why he did not add it at that time. He stated when he realized we had not added another man mid year he realized we needed to propose a funding increase to staff the ladder truck. Mayor Carter stated he also believed the ladder truck was already staffed at three. Councilman McCaleb stated we need to start working on a 5-year plan to get the City up to average in the Fire and Police Departments. Lynn Palmer, 512 E. Kingsport St., stated she would like to see

the system development fee addressed quickly due to the economic impact of the fees being raised.

Motion by Thurmond, second by Mahan to adopt Ordinance Nos. 2538-2547.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

Motion by McCaleb, second by Chatterton to adopt the Emergency Clauses of Ordinance Nos. 2538-2547.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

13. The Council considered the Consent Agenda. Councilman McCaleb asked that Item “E” be pulled from the Consent Agenda.

- A. Approval of payroll for June 20, 2003 and July 3, 2003
- B. Approval, ratification, and authorization for the Mayor to execute a proclamation declaring June 15, 2003: “Dr. Donald E. Roulet Day” in the City of Broken Arrow
- C. Approval of request to close North Butternut Court in the Bretton Woods Addition during a Homeowners’ Association block party on Friday, July 4, 2003, from 9:00 a.m. to 12:00 noon
- D. Approval of request for use of a public address system at Liberty Church (7501 S. Garnett) 4th of July Celebration to be held Friday, July 4, 2003, from 5:00 p.m. to 10:00 p.m. and approval of fireworks display contingent upon issuance of a Certificate of Approval by the Fire Marshall
- E. Approval of request to use a public address system during the Arrow Heights Baptist Church Picnic at Central Park Pavilion on Sunday, June 29, 2003, between the hours of 6:00 p.m. and 9:00 p.m.
- F. Approval of recommended social services applications for Program Year 2003 CDBG funding: Indian Springs Outreach, Broken Arrow Seniors, Margaret Hudson Program, Family & Children’s Services, Indian Springs & Rhoades Elementary Before/After School Tutoring, Broken Arrow Meals on Wheels, Arrow Springs Elementary After School Tutoring, Treetops Outreach and Tulsa City/County Health Department
- G. Approval of and authorization for the Mayor to execute a Services Contract with Broken Arrow Seniors, Inc., for Fiscal Year 2003-2004

- H. Approval of and authorization for the Mayor to execute a Youth Counseling Agreement between the City and Youth Services of Tulsa, for Fiscal Year 2003-2004
- I. Approval of and authorization for the Mayor to execute a User Agreement with the Broken Arrow Adult Softball Association for the term ending December 31, 2003
- J. Approval of request to declare as surplus two (2) unmarked police vehicles and ratify sale of same
- K. Approval of renewal – Mobile Home Permit No. 14, 8th renewal, 27.3 acres, 7501 South Garnett Road, one-half mile north of Houston Street and Garnett Road, R-1, SP 50 (Liberty Church)
- L. Approval of renewal – Mobile Home Permit No. 17, 4th renewal, 10 acres, one-half mile west of Elm Place, north of Washington Street, R-1, SP 4 (The Salvation Army)
- M. Acceptance of a Detention Facility Maintenance and Access Easement from Richard L. & Diane A. Hudson Family Limited partnership (S3 T18N R14E) (Project: RL Hudson Retention Pond)
- N. Approval of Claims List

Motion by Thurmond, second by McCaleb to approve the Claims List with the exception of Item “E”.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

Councilman McCaleb left the meeting.

14. The Council considered items removed from Consent Agenda.

- E. Approval of request to use a public address system during the Arrow Heights Baptist Church Picnic at Central Park Pavilion on Sunday, June 29, 2003, between the hours of 6:00 p.m. and 9:00 p.m.

Motion by Chatterton, second by Mahan to approve Claims List Item “E”.

Aye: Mahan, Chatterton, Thurmond, Carter

Nay: None

Motion carried.

Councilman McCaleb entered the meeting.

15. Under Remarks and Inquiries by Governing Body Members Vice-Mayor Thurmond stated the Flag Day program was excellent and thanked Councilman McCaleb for all of his hard work on the event.

16. There was no Executive Session.

17. The Council considered adjournment.

Motion by Thurmond, second by Mahan to adjourn.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

The meeting was adjourned.

BROKEN ARROW MUNICIPAL AUTHORITY MEETING MINUTES JUNE 16, 2003

1. The Broken Arrow Municipal Authority met in regular session in the City Hall Council Chambers on Monday, June 16, 2003, after the Broken Arrow City Council meeting, which began at 7:30 p.m. Chairman Richard Carter called the meeting to order. Authority members present were as follows:

Present: Chairman Richard Carter
Vice-Chairman Craig Thurmond
Mr. Wade McCaleb
Mr. Tom Chatterton
Ms. Melissa Mahan

Staff Present: Michael D. Kadlecik, City Manager
Lois Beisiegel, Deputy City Clerk
Gary Blackford, Special Business Administrator
Tom Caldwell, Finance Director
Justin Cook, Director of Engineering
Farhad Daroga, City Planner
Scott Esmond, Parks & Recreation Director
Jay Heinrichs, Controller
Joe Higgins, Inspector
David McCann, Purchasing Manager
Ron Osborn, Fire Chief
Rick Ross, Assistant Police Chief
Dave Wooden, Public Works Director

Michael Vanderburg, City Attorney

3. The Authority considered approval of minutes of regular meeting of June 2, 2003.

Motion by Chatterton, second by Mahan to approve the minutes of the regular meeting of June 2, 2003.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

4. The Authority considered possible approval of the proposed 2003-2004 Fiscal Year Financial Plan for the Broken Arrow Public Golf Authority. City Manager Michael Kadlecik presented the item.

Motion by McCaleb, second by Chatterton to approve the final Broken Arrow Public Golf Authority Fiscal Year 2003-2004 Financial Plan.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

5. The Authority considered possible adoption of the proposed 2003-2004 Fiscal Year Financial Plan for the Broken Arrow Municipal Authority. City Manager Michael Kadlecik presented the item.

Motion by McCaleb, second by Chatterton to approve the 2003-2004 Fiscal Year Financial Plan for the Broken Arrow Municipal Authority.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

6. The Authority considered approval of and authorization for the Chairman to execute Financial Plan Adjustment #3 for Fiscal Year 2002-2003. City Manager Michael Kadlecik presented the item.

Motion by Chatterton, second by Mahan to approve Financial Plan Adjustment #3 for Fiscal Year 2002-2003 and authorize the Chairman to execute it.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

7. The Authority considered possible approval of and authorization for the Chairman to execute the revised contract with the Metropolitan Environmental Trust for operation of the City of Broken Arrow Recycle Center. City Manager Michael Kadlecik presented the item.

Motion by Mahan, second by McCaleb to approve the revised contract with the Metropolitan Environmental Trust for operation of the City of Broken Arrow Recycle Center and authorize the Chairman to execute it.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

8. The Authority considered approval of and authorization for the Chairman to execute Amendment No. 1 to the Engineering Services Contract for electrical upgrades to the Broken Arrow Water Treatment Plant. City Manager Michael Kadlecik presented the item.

Motion by McCaleb, second by Chatterton to approve Amendment No. 1 to the Electrical Rehabilitation to the BA Water Treatment Plant Pump Station and the OOWA Pump Station services contract to MKEC Engineering Consultants Inc. for an amount not to exceed \$30,000.00 and authorize the Chairman to execute it.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

9. The Authority considered approval of payroll for June 20, 2003 and July 3, 2003.

Motion by McCaleb, second by Thurmond to approve payroll for June 20, 2003 and July 3, 2003.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

10. The Authority considered approval of Claims.

Motion by McCaleb, second by Thurmond to approve the Claims list.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

11. There were no remarks and inquiries by Governing Body Members.

12. The Authority considered adjournment.

Motion by Thurmond, second by Mahan to adjourn.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter
Nay: None
Motion carried.

The meeting was adjourned.